



Entered on Docket  
March 09, 2010

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

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HSBC Bank USA, National Association as Trustee for Wells Fargo Asset Securities  
Corporation, Mortgage Pass-Through Certificates, Series 2007-4  
09-77717

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In Re:

Michael Ager

Debtor.

BK-S-09-30456-MKN

Date: January 6, 2010

Time: 1:30 p.m.

Chapter 7

**ORDER VACATING AUTOMATIC STAY**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the automatic stay in the above-entitled bankruptcy proceedings, insofar as it applies to the Debtor's bankruptcy estate, is immediately vacated and extinguished for all purposes as to Secured Creditor HSBC Bank USA, National Association as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2007-4, its assignees and/or successors in interest, of the subject property, generally described as 9500 Borgata Bay Blvd, Las Vegas, NV 89147, and legally described as follows:

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

Parcel I:

Lot Thirty-Five (35) in Block Two (2) of FOOTHILLS SUBDIVISION UNIT 1, as shown by map thereof on file in Book 71 of Plats, Page 45 in the Office of the County Recorder, Clark County, Nevada.

Parcel II:

A non-exclusive easement for ingress/egress use and enjoyment over those portions of said map delineated as "Private Streets/P.U.E." Common Elements as shown by map on file in Book 71 of Plats, Page 45 and further described in that certain Declaration of Covenants, Conditions, Restrictions recorded February 12, 1996 in Book 960212 as Document No. 00117, in the Office of the County Recorder, Clark County, Nevada.

Assessor's Parcel Number: 163-18-710-034

IT IS FURTHER ORDERED that the automatic stay in the above-entitled bankruptcy proceedings, insofar as it applies to the Debtor, is immediately vacated and extinguished for the purpose of negotiating and entering into a loan modification for which terms are agreed upon between Debtor and Secured Creditor HSBC Bank USA, National Association as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2007-4, its assignees and/or successors in interest.

///

1 IT IS FURTHER ORDERED that the automatic stay in the above-entitled bankruptcy  
2 proceedings, insofar as it applies to the Debtor, shall be vacated and extinguished in its entirety  
3 for all purposes as to Secured Creditor HSBC Bank USA, National Association as Trustee for  
4 Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2007-4,  
5 its assignees and/or successors in interest herein in full upon the Debtor receiving a discharge in  
6 this bankruptcy case.  
7

8 IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the Secured  
9 Creditor shall give Debtor and Trustee at least five business days' notice of the time, place,  
10 and date of sale.

11 DATED this \_\_\_\_ day of \_\_\_\_\_ 2010.

12 Submitted by:

13 **WILDE & ASSOCIATES**

14 By: /s/Gregory L. Wilde, Esq

15 **Gregory L. Wilde, Esq.**

16 Attorney for Secured Creditor

17 208 South Jones Boulevard

Las Vegas, Nevada 89107

18 APPROVED / DISAPPROVED

19 By: \_\_\_\_\_

20 Samuel A. Schwartz

21 626 S. Third St.

22 Las Vegas, NV 89101

Attorney for Debtor(s)

23 APPROVED / DISAPPROVED

24 By: \_\_\_\_\_

25 Timothy S. Cory

26 8831 West Sahara Ave.

Las Vegas, NV 89117

Chapter 7 Trustee

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a  
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee  
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has  
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor